

**UNITED STATES DISTRICT COURT FOR
THE WESTERN DISTRICT OF NEW YORK**

LACKAWANNA CHIROPRACTIC P.C., a
New York professional corporation,
individually and on behalf of all others
similarly situated,

Plaintiff,

v.

TIVITY HEALTH SUPPORT, LLC, a
Delaware limited liability company,

Defendant.

Case No. 1:18-cv-00649-LJV-JJM

CLASS ACTION

STIPULATION OF DISMISSAL

Plaintiff Lackawanna Chiropractic P.C. and Defendant Tivity Health Support, LLC hereby stipulate to the dismissal of this action with prejudice as to Plaintiff's individual claims and without prejudice as the claims of any other members of the putative class, with each party to bear its own attorneys' fees and costs.

So stipulated.

Respectfully submitted,

Dated: January 13, 2022

/s/ Avi R. Kaufman

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Attorneys for Defendant Tivity Health Support, LLC

CERTIFICATE OF SERVICE

I HEREBY CERTIFY that on January 13, 2022, I electronically filed the foregoing document with the Clerk of the Court using CM/ECF, which is being served this day on all counsel of record via transmission of Notice of Electronic Filing generated by CM/ECF.

/s/ Avi R. Kaufman